

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-10418-MEL

STEPHEN SCANLON,
Plaintiff,

v.

ANDREA J. CABRAL, individually and in
her capacity as Sheriff of Suffolk
County, SUFFOLK COUNTY, and the CITY
COUNCIL OF THE CITY OF BOSTON,
Defendants.

**DEFENDANT CITY COUNCIL OF THE CITY OF BOSTON'S ASSENTED-TO MOTION
TO CONTINUE DATE OF FEBRUARY 3, 2005, MOTION HEARING.**

NOW COMES the City Council of the City of Boston, Defendant in the above-entitled action, and hereby moves this Honorable Court to continue the motion hearing currently scheduled for February 3, 2005, to February 11 or 24, 2005, or to a date after February 28 permitted by the Court's schedule.

As grounds therefore, the City Council of the City of Boston, states that:

1. At the time of the currently-scheduled hearing, its undersigned counsel is scheduled to be trying the case of Amar Chaabouni v. Edward Thomas et al., Suffolk Superior Court Docket No. 2000-02571, with trial set to begin on February 2, 2005, and scheduled to continue for five half-days;

2. Counsel for the Plaintiff and co-defendants have assented to this motion;
3. All counsel have compared calendars and each is available February 11, and 24, 2005.
4. No party will be prejudiced by allowance of this motion.

Respectfully submitted,
DEFENDANT, CITY COUNCIL OF THE CITY
OF BOSTON,

Merita A. Hopkins
Corporation Counsel

By its attorney:

s/ James M. Chernetsky

James M. Chernetsky
Assistant Corporation Counsel
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CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2)

I hereby certify that undersigned counsel for the Defendant, City Council of the City of Boston, consulted with all counsel in the above-entitled action, and that counsel for all parties have assented to this motion.

1/21/05
Date

s/ James M. Chernetsky
James M. Chernetsky, Esq.